

January 10, 2005

Dear Planning Commissioners,

This package is respectfully submitted to the City of Sunnyvale Planning Commission by Grace and Tony Toy, owners of 1247 Valerian Ct., which is on the east side of 1276 Poplar Ave.

Our property is a quiet, low density four-plex (with nine bedrooms) being rented out to only seven tenants for over 10 years. All our tenants enjoy the peaceful environment and high quality of life.

In December 2004, none of our tenants received any notice of the proposed rezoning. When we shared with them the staff report and plan, they were disturbed. They are concerned with the bulk of the buildings (three large four bedroom houses), which would increase density in the neighborhood. The two story buildings would be too close to the fence and our tenants would be negatively impacted by the noise, loss of privacy in our yard, and sunshine would be blocked.

We have included our tenants' letters in this package. Please feel free to contact them if the staff or Commission need further information.

The fence in between our properties is falling apart. We have also included our letter for the owner, but we are not sure who that is.

Finally, we have written some comments on the staff's package and would like to address our concerns on the adoption of this project.

Thank you very much.

Sincerely,

Grace and Tony Toy  
Mailing Addr: P.O. Box 1914  
Cupertino, CA 95015-1914  
408-257-9900

To: Planning Commission; Sunnyvale Planning Division

From: Sandra Metzler

Date: December 10, 2004

RE: OPPOSE Rezoning 1276 Poplar Avenue

File: #2004-0857

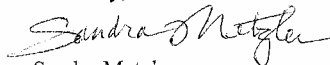
I strenuously oppose the replacement of two existing one-story, small homes with three large, 2-story buildings as well as the subdividing of one lot into four lots. This will impose a much higher density to the property and neighborhood.

A public notice was not mailed to me even though I live next to the site, which is within 300 feet from the project. (However, I did receive a letter from our City asking for a donation for community service projects.) Also, I think that many of my neighbors might not have been properly informed regarding this proposed change of zoning.

Due to a schedule conflict I will not be able to attend the meeting on Monday, Dec. 13 at 8:00pm, so I ask to submit this letter to represent my interest.

Thank you very much for your attention to this important issue.

Sincerely,



Sandra Metzler  
1247 Valerian Court  
Sunnyvale, CA 94086

ATTACHMENT D

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Print - Close Window

## YAHOO! MAIL

Date: Mon, 13 Dec 2004 11:09:01 -0800 (PST)  
From: "Tony Lo" <[REDACTED]@yahoo.com>  
Subject: Opposition to Rezoning of 1276 Poplar Drive.  
To: [REDACTED]

To : Planning Commision, Sunnyvale Planning Division  
From : Tony Lo  
Date: 12/13/2004  
Re: Oppose Rezoning 1276 Poplar Drive Ave  
File #: 2004-0857

I oppose the replacement of the two existing one-story small home with three large 2-story buildings. I am concerned that noise and congestion due to such high density may adversely affect the living environment of the neighborhood. I am also aware that thie is violating several city codes.

This existing proposal is unacceptable. In addition, I have not received a public notice had not been mailed to me in spite of the fact that I reside within 300 feet from the proposed project (as required by law). I have some concerns that other neighbors are not been properly informed of this proposed change in zoning. I feel that further discussion is required to explore alternatives that would be more suitable to the needs of the surrounding community.

Due to a prior engagement, I will be unable to attend the meeting on Monday December 13, 2004 at 8pm.

Sincerely,

Tony Lo

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Do you Yahoo!?  
All your favorites on one personal page - Try My Yahoo!

YAHOO! MAIL

Date: Mon, 13 Dec 2004 18:00:47 -0800

From: "Lao, Allen Y" <[REDACTED]>

Subject: Letter Concerning Rezoning

To: [REDACTED]

CC: [REDACTED]

A few days ago I was notified of a proposal to rezone an area on Poplar Avenue adjacent to where I and a number of other residents live. For more than five years, I have enjoyed the relative quiet of my current residence. The proposal to rezone the area on Poplar Avenue, though, is one to which I am opposed.

I have not been notified concerning the rezoning proposal that would significantly impact the population density of an area that is within a few hundred feet of where I live. It is most likely that other neighbors were also not notified regarding this situation. Were they made aware of the issues at hand, it is likely that they would feel similarly to me regarding this proposal.

Thanks for your understanding and best regards,  
--Allen Lao

ATTACHMENT D

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Print - Close Window

YAHOO! MAIL

**From:** "sempriorso" <~~sempriorso@yahoo.com~~>  
**To:** email95014@yahoo.com  
**Subject:** Poplar Avenue  
**Date:** Mon, 10 Jan 2005 15:09:00 -0800

Dear Grace:

If my input is needed this evening and my email has not been read by the Planners, please convey to them I DO OPPOSE the project at 1276 Poplar Avenue, Sunnyvale, Ca 94086 as it is being currently proposed.

As far as the figures regarding FAR. I received them from from Kelly when I met with him on December 10, 2004.

Good Luck , Marie.

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**Kelly Diekmann - Fw: 2004-0857 This evenings meeting**
**ATTACHMENT D**  
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**From:** "sempriorso" <~~sempriorso@ci.sunnyvale.ca.us~~>  
**To:** <kdiekmann@ci.sunnyvale.ca.us>  
**Date:** 1/10/2005 2:09 PM  
**Subject:** Fw: 2004-0857 This evenings meeting  
**CC:** <hbradley@ci.sunnyvale.ca.us>, <rkuchenig@ci.sunnyvale.ca.us>, <slyrch@ci.sunnyvale.ca.us>, <jmcleod@ci.sunnyvale.ca.us>, <aminerr@ci.sunnyvale.ca.us>

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----- Original Message -----

**From:** sempriorso  
**To:** ~~sempriorso@ci.sunnyvale.ca.us~~  
**Sent:** Monday, January 10, 2005 1:53 PM  
**Subject:** 2004-0857 This evenings meeting

Hello Mr. Diekmann:

My name is Marie M. Gatto. I met very briefly with you on December 10th last year regarding the property at 1276 Poplar Avenue, Sunnyvale. If you were instrumental in moving the meeting to this evening... I thank you. Somehow, as an owner of neighboring property for over 20 years I was not on the City of Sunnyvale's mailing list to receive notice of the December 13th meeting. Thanks.

When we met briefly, you explained in essence that the owners/applicants want to build three large homes approximately 2500 sq. feet each on the site at 1276 Poplar Avenue. I have serious concerns over this project.

I am emailing you, because I am down with the flu and honestly don't feel I can come to the meeting this evening, BUT I would like my input to be shared with the other planners. Would you do so kind as to pass my concerns on to them?

Under: RECOMMENDED FINDINGS: (Attachment A Page 1 of 2)) Special Development Permit #1. Land Use and Transportation Element:

ITEM #2 states: "structures will not impair either the orderly development of, or the existing uses being made of, ADJACENT properties as the development is two story homes similar in height to abutting multiplex units with a generally appropriate BULK AND MASSING. The project provides usable open space for residents and includes retention and protection of significant trees on and around the site while including new fresh landscaping for a buffer between the uses to the north of the site".

My response: HOW CAN THE BULK AND MASSING be SIMILAR when my property has a FAR of 38.4% AND the PROPOSED Project has a FAR of 60%. I understand the small lot guideline is 50%.

Under: Recommended Findings: (Attachment A Page 1 of 1) Special Development Permit -

ATTACHMENT D  
Page 7 of 10

Land Use and Transportation Element::

Item #1: Last sentence: "Additionally it provides additional ownership housing opportunities and reinvestment in an existing neighborhood renewing a RUN DOWN site.

My response: Agreeably the site may be run down, BUT it still has plenty of vegetation and with some improvements would have a very nice appearance and could be a private home or good rental.

~~Have the Planners recently taken a look at all of Poplar Avenue. There are new buildings on sites similar to that proposed for 1276 Poplar Avenue. I am sure on paper the plans looked exciting and fresh. TAKE A LOOK NOW! Those areas now have the look of an UP SCALE RUN DOWN site. The proposed landscaping is now concrete... there are more cars parking on the concrete area and in general you have exchanged smaller older homes with trees and greenery around them for ugly large homes with all concrete and no vegetation and overcrowding of cars.~~

Before you approve any of these requests, I implore you to personally drive down Poplar Avenue and see what it has become. It appears to me all YOUR GOOD efforts to help a community has actually hinder the area. If the homes were smaller, perhaps there would be ample room for parking and landscaping.

IF this project is to be considered more fully, two homes would be sufficient on this site in mention.

IF this project is to be considered in its entirety, the home on the back of the lot should be smaller in HEIGHT and AREA with a larger set back on the SIDE and BACK Yare areas.

FIRST: and most IMPORTANT, IF THIS PROJECT SHOULD BE APPROVED, I WANT TO BE DEFINITELY SURE THAT THE DRAINAGE, ESPECIALLY WHEN IT RAINS, WILL NOT DRAIN DOWN TO MY PROPERTY. At present, I do have water drainage from the property (1276 Poplar Avenue), but is has not been a dangerous issue. If the property is further developed, this concern must be addressed.

SECOND; The large tree on the back of the property has afforded privacy for both myself and the current owners and if it is cut down and a large two story structure is built, ALL privacy is gone. At present even though the tree needs an arborist to tend to its state of "health", the tree does soften the appearance of the area.

To: Iraj Dehnow, Owner  
1276 Poplar Ave.  
Sunnyvale, CA 94086

From: Grace Toy, Owner  
1247 Valerian Ct.  
Sunnyvale, CA 94086  
408-257-9900

Mailing Addr: P.O. Box 1914  
Cupertino, CA 95015-1914

Cc: Sunnyvale Planning Department,  
Owners Sharing Same Fence to North and East

Re: Back Fence Replacement

Date: January 10, 2005

Dear Neighbor,

I have paid my contractors to repair the fence between our properties several times. Finally, my contractors have informed me that it is more cost effective to replace it with a new one.

In early Summer 2004, I gave two memos to your tenants (your cousin and her boyfriend) in regards to this matter. In early August when I dropped the proposal for the new fence (see next page) at their doorsteps, they refused to talk to me. I hope that you have received all these documents.

My two other neighbors have graciously agreed to share the cost. ALL THREE OF US are still waiting for your cooperation. You are very welcome to provide us with your bid or negotiate with the fence contractor. As of July 2004, your share was \$154.

We await your prompt response to this matter. Thank you very much.

Sincerely,

Grace Toy



Redwood Fencing &  
Decking Contractors  
1756 URNA AVE.  
SAN JOSE, CA 95124  
PHONE: (408) 448-4904  
FAX: (408) 448-5101

BAY PACIFIC FENCE CO.



PROPOSAL AND CONTRACT

ATTACHMENT D

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No 6858

LIC. # 749447

3 YEAR WARRANTY ON ALL MATERIALS AND LABOR

REFERRED BY: \_\_\_\_\_

DATE: 7/21/04

PROPOSAL SUBMITTED TO <u>GRACE TAY</u>		PROPOSAL SUBMITTED TO <u>STAG SITE:</u>	
STREET <u>P.O. Box 19141</u>		STREET <u>1247 VALERIAN CT.</u>	
CITY, STATE AND ZIP CODE <u>WILSONVILLE</u>		CITY, STATE AND ZIP CODE <u>SUNNYVALE</u>	
WORK PHONE <u>FAX SAME AS - 257-9900</u>	HOME PHONE <u>257-9900</u>	WORK PHONE <u></u>	HOME PHONE <u></u>

AUTHORIZED SIGNATURE

William Moore

POST SET  
IN CONCRETE

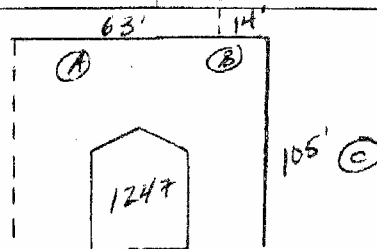
4x4x8 PT CT

RAILS 2x4x8 Solid Frame

BOARDS 1x8x6 On Common

KICKBOARDS 2x8x8 PT CT

RETAINER



PROJECT  
DESIGN

SHARED COST

TOTAL COST

(A) 63' OF 7' Brandon Board	\$693.00	\$1386.00
(B) 14' OF 7' " " "	\$154.00	\$308.00
(C) 105' OF 6' " " "	\$1050.00	\$2100.00
		\$3794.00

OLD MATERIALS REMOVED AND HAULED ☐ YES ☐ NO

ALL REDWOOD MATERIAL (except where noted)

PAYMENT TERMS: Cash payment in full upon completion. Interest shall accrue after completion date at rate of 5/6 of 1% per month.

NOT RESPONSIBLE FOR UNDERGROUND IMPROVEMENTS. See reverse side for "Additional Terms".

ACCEPTANCE OF PROPOSAL AND CONTRACT.

The above prices, specifications and conditions are

satisfactory and hereby accepted.

You are authorized to do the work as specified.

Payment will be made UPON COMPLETION.

MEMBER BETTER BUSINESS BUREAU.

Signature \_\_\_\_\_ Date \_\_\_\_\_ Share \_\_\_\_\_

Signature \_\_\_\_\_ Date \_\_\_\_\_ Share \_\_\_\_\_

Customer has a 3 day period in which to cancel this contract.

**From:** Vikas Kapur <[kdiekmann@ci.sunnyvale.ca.us](mailto:kdiekmann@ci.sunnyvale.ca.us)>  
**To:** <[kdiekmann@ci.sunnyvale.ca.us](mailto:kdiekmann@ci.sunnyvale.ca.us)>  
**Date:** 12/29/2004 11:10:56 PM  
**Subject:** Rezoning of 1276 Poplar to R2/PD

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Hello - I am a home owner at Wisteria terrace in the vicinity of this parcel - I recently received the public notice regarding re-zoning.

I do support the re-zoning, one of the homes on that lot looks to be abandoned and in terrible shape.

My request is if you have details on the proposed construction of the 3 new homes on that lot - in particular, how high will the homes be, how close to the street (Poplar), when will construction commence and how long is the construction proposed to last ? ( Will the builder take responsibility and effect repairs if any damage to the street or side-walk occurs during construction ? ). As before, I do support the re-zoning, I'm interested in these above details.

If you can please email me these details, I would appreciate it very much. I know other home owners in the vicinity have similar interests.

With regards,  
Vikas Kapur  
Wisteria Terrace / Sunnyvale / CA 94086

CC:

Att 0